

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,

No. CR 15-0416 WHA

v.


**ORDER RE RESPONSES TO RULE  
29 AND RULE 33 BRIEFING**

ENZO CESTONI,  
Defendant.

Both sides have submitted briefing regarding defendant's Rule 29 motion on Count One of the superseding indictment (the July 4 Instagram photo) and defendant has also filed a Rule 33 motion on Count Two (the July 7 incident at Blondie's). By **NOON ON APRIL 26, 2016**, both the government and the defense may respond to the other side's briefing. The government's response shall state (in a sworn declaration) the date and exact time at which counsel, an agent, or a paralegal first learned of the *Brady* material contained in Claudio Maciel's draft presentence report. The defense's response shall state (in a sworn declaration) the full extent to which the defense already knew of the information contained in the recent *Brady* disclosure and exactly when and how the defense learned of that information. A hearing on the Rule 29 and Rule 33 motions is hereby set for **TWO P.M. ON MAY 3, 2016**.

**IT IS SO ORDERED.**

Dated: April 20, 2016.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE